

*United States v. General Motors Corporation and Niagara Mohawk Power Corporation*, Civ. NO. 98 CV 1927 (NAM), DOJ #90-11-2-2/2, was lodged in the United States District Court for the Northern District of New York on December 15, 1998. The Consent Decree resolves the liability of defendants under Sections 106(a) and 107(a) of the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA"), 42 U.S.C. §§ 9606(a) and 9607(a), relating to the Pollution Abatement Services Superfund Site in Oswego, New York (the "Site").

Under the proposed decree Defendants agree to perform EPA's fourth and final operable unit for the Site as set forth in EPA's Record of Decision issued on September 30, 1997 ("OU4"), which requires the monitoring of polychlorinated bi-phenyls in sediments and biota at creeks and wetlands at the Site. Defendants also agree to pay the first \$150,000 in Oversight Costs and any future Response Costs incurred in connection with OU4. In exchange for the work and payment of response costs, Defendants will receive a covenant not to sue for response actions at the Site subject to certain reservations of rights.

The Department of Justice will receive, for a period of thirty (30) days from the date of this publication, written comments relating to the proposed Consent Decree. Comments should be addressed to the Assistant Attorney General for the Environment and Natural Resources Division, Department of Justice, Washington, D.C. 20530, and should refer to *United States v. General Motors Corp. et al.*, Civ. No. DOJ #90-11-2-2/2.

The proposed Consent Decree may be examined at the Office of the United States Attorney, Northern District of New York, James Foley U.S. Courthouse, 445 Broadway, Room 231, Albany, New York 12207; at the Region II Office of the U.S. Environmental Protection Agency, 290 Broadway, New York, New York 10278; and at the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, D.C. 20005, (202) 624-0892. Copies of the Consent Decree may be obtained in person or by mail from the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, D.C. 20005. In requesting a copy, please enclose a check in the amount of \$32.50 (25 cents

per page reproduction costs) payable to the Consent Decree Library.

**Joel M. Gross,**

*Environmental Enforcement Section,  
Environment and Natural Resources Division.*  
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## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Pursuant to the Clean Air Act

In accordance with Department policy, 28 CFR 50.7, notice is hereby given that a proposed consent decree in *United States v. Pro-Tec Coatings Company*, Civil Action No. 3:98CV7749, was lodged with the United States District Court for the Northern District of Ohio on December 15, 1998, contemporaneously with the filing of a complaint. This proposed consent decree would resolve the United States' civil claims against Pro-Tec Coatings Company for violations of the Clean Air Act, 42 U.S.C. § 7401 *et seq.*, at its Leipsic, Ohio facility.

Under the terms of the proposed consent decree, Pro-Tec will pay a civil penalty of \$1.05 million, obtain specified air pollution permits, and install required air pollution control equipment.

The Department of Justice will receive, for a period of thirty (30) days from the date of this publication, comments relating to the proposed consent decree. Comments should be addressed to the Assistant Attorney General for the Environment and Natural Resources Division, Department of Justice, Washington, D.C. 20530, and should refer to *United States v. Pro-Tec Coatings Company*, Civil Action No. 3:98CV7749, and Department of Justice Reference No. 90-5-2-1-06019.

The proposed consent decree may be examined at the Office of the United States Attorney, Northern District of Ohio, Four Seagate, Suite 308, Toledo, Ohio 43604; the Region 5 Office of the Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604-3590; and at the Consent Decree Library, 1120 G Street, N.W., 3rd Floor, Washington, D.C. 20005, (202) 624-0892. A copy of the proposed consent decree may be obtained in person or by mail from the Consent Decree Library, 1120 G Street, N.W., 3rd Floor, Washington, D.C. 20005. In requesting a copy, please refer to the referenced case and case numbers and enclose a check in the amount of \$7.50

(25 cents per page reproduction costs), payable to the Consent Decree Library.

**Joel M. Gross,**

*Chief, Environmental Enforcement Section,  
Environment and Natural Resources Division.*  
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## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Pursuant to Comprehensive Environmental Response, Compensation, and Liability Act

Notice is hereby given that on December 16, 1998, a proposed consent decree in *United States v. Rohm & Haas Company, Inc., et al.*, Civil Action No. 85-4386 (JHR), was lodged with the United States District Court for the District of New Jersey.

In this action, the United States alleged under Section 107 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. § 9607, that, *inter alia*, Owens-Illinois, Inc. (OI) was liable for the federal government's costs in responding to the release or threatened release of hazardous substances at the Lipari Landfill Superfund Site in Mantua Township, Gloucester County, New Jersey (the Site). Under the terms of the proposed consent decree, OI will pay the United States the sum of \$13.3 million dollars with respect to the United States' claims. This settlement, in conjunction with earlier settlements in this matter, will result in the United States recovering \$119.8 million in cash and work in relation to the Site, a recovery of over 87% of total Site costs.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the proposed partial consent decree. Comments should be addressed to the Assistant Attorney General of the Environment and Natural Resources Division, Department of Justice, Washington, D.C. 20530, and should refer to *United States v. Rohm & Haas, Inc., et al.*, Civil Action No. 85-4386, D.J. Ref. 90-11-3-86.

The proposed consent decree may be examined at the Office of the United States Attorney, District of New Jersey, 402 East State Street, Trenton, New Jersey 08606, at U.S. Environmental Protection Agency Region II, 290 Broadway, New York, New York 10007-1866, and at the Consent Decree Library, 1120 G Street, N.W., 3rd Floor, Washington, D.C. 20005. A copy of the proposed consent decree may be obtained in person or by mail from the